

COMMENTS

The enclosed is a preliminary amendment for a continuation application, as provided under 37 CFR 1.53(d), of United States Utility Patent Application no. 09/164,429 filed on September 30, 1998.

In response to the Examiner's Office Action mailed on June 17, 2002. At the time the Examiner mailed the Office Action: 1) claims 50 through 71 were pending; 2) claims 50-61 had been allowed; and 3) claims 62-71 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,118,864 (hereinafter, "Chang"). In response, the Applicant has amended claims 50, 58, 59, 60, 61 and has added new claims 72-99. No new matter has been entered. As such, claims 50-99 are currently pending. The Applicant thanks the Examiner for the allowance of claims 50-61 and respectfully requests reconsideration of the present application so that claims 62-99 may be allowed.

A proposed new Figure 45 has been submitted under separate cover to correct for a mere matter of form. Here, reference number "4301" is to be changed to reference number "4501".

Claims 50, 58, 59, 60 and 61 have also been amended to correct for mere matters of form.

The Examiner rejected claims 62-71 under 35 USC 102(e) as being anticipated by Chang. "To anticipate a claim, the reference must teach every element of the claim." MPEP 2131. The Applicant respectfully submits that Chang fails to disclose each and every element of the Applicant's independent claim 62. For example, note that claim 62 of the present application recites "said generating a ring signal and said starting a timer both a consequence of a connection *that was* established toward said remote telephone interface over a packet data network" (emphasis added). Here, Chang clearly fails to disclose or suggest the above described limitation. That is, the ring signal referred to in

Chang is part of a connection yet to be established over a packet based network; whereas, according to the Applicant's independent claim 62, a connection is already established over a packet based network while the ring signal is being applied. As such, Chang fails to anticipate all of the Applicant's claim elements.

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Robert O'Rourke at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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Date: 11/18/02



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CLAIM AMENDMENTS SHOWING CHANGES

Please amend claims 50, 58, 59, 60, 61 as follows:

50. (once amended) A method, comprising:

- a) initiating a call to a remote telephone interface at a first telephone interface;
- b) generating a first ring signal at a second telephone interface in response to said [initiating]initiating;
- c) generating an off hook signal at said second telephone interface and establishing a connection toward said remote telephone interface over a packet data network that resides between said second telephone interface and said remote telephone interface, said generating an off hook signal and said establishing a connection both a consequence of said generating a first ring signal;
- d) generating a second ring signal at said remote telephone interface and starting a timer that measures a time period over which said second ring signal is applied at said remote telephone interface, said generating a second ring signal and said starting a timer both a consequence of said establishing a connection;
- e) ceasing said second ring signal and sending a message through said packet data network toward said second telephone interface, said ceasing said second ring signal and said sending a message both a consequence of said timer having expired; and
- f) ceasing said off hook signal and asserting an on hook signal at said second telephone interface, said ceasing said off hook signal and said asserting said on hook signal both a consequence of said sending a message.

58. (once amended) The method of claim [44]50 wherein said packet data network further comprises an Internet Protocol (IP) network.

59. (once amended) The method of claim [44]50 wherein said packet data network further comprises a Frame Relay network.

60. (once amended) The method of claim [44]50 wherein said packet data network further comprises a High level Data Link Control (HDLC) network.

61. (once amended) The method of claim [44]50 wherein said packet data network further comprises an Asynchronous Transfer Mode (ATM) network.